

Remarks/Arguments:

Claims 1 and 4 have been amended. No new matter is introduced herein. Claims 1, 4 and 9-12 are pending.

Applicant appreciates the courtesy extended to his representatives by Examiner Luong during the telephone interview of December 10, 2009. During the course of the interview, Applicant's representative discussed differences between Applicant's proposed claim 1, Reynolds et al. (U.S. 6,563,515), Thurston et al. (U.S. 2003/0084450) and Yoshida (U.S. 5,936,611). The Examiner indicated that the cited art do not teach that a picture displaying unit automatically displays a recommended program and a currently viewed program simultaneously. The Examiner also requested that claim 1 be amended to remove the phrase "configured to."

Claim 1 has been amended to recite that the picture displaying unit automatically displays a recommended program and a currently viewed program simultaneously, responsive to the program recommending unit. In addition, claim 1 has been amended to recite that the program recommending unit: 1) selects a program from among programs available to be received as a recommended program and 2) determines whether the recommended program is a currently viewed program. Claim 1 has also been amended to remove the phrase "configured to." Claim 4 has been amended similar to claim 1. No new matter is introduced herein. Basis for the amendment can be found, for example, at page 3, lines 5-23; page 5, line 8-page 7, line 15; and Figs. 2 and 3 of the subject specification.

Claims 1 and 4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds et al. (U.S. 6,563,515) in view of Thurston et al. (U.S. 2003/0084450), further in view of Yoshida (U.S. 5,936,611). It is respectfully submitted, however, that these claims are patentable over the cited art for the reasons set forth below.

Claim 1, as amended, includes features which are neither disclosed nor suggested by the cited art, namely:

... a program recommending unit for: 1) selecting a program from among programs available to be received as a recommended program, based on the obtained viewing

information and the accumulated program information and 2) determining whether the recommended program is a currently viewed program ...

... a picture displaying unit for automatically displaying the recommended program and the currently viewed program simultaneously, responsive to the program recommending unit, only when the program recommending unit determines that the recommended program is other than the currently viewed program ... (Emphasis Added)

Claim 4 includes a similar recitation.

Reynolds et al. disclose, in Figs. 5a and 5b, an interactive television program guide which presents program guide display 70 and current channel 77 on main display screen 72. (Col. 7, lines 41-55). As shown in Fig. 6a, if a viewer browsing program guide display 70 becomes interested in a particular program, the viewer can direct the program guide to invoke program guide video window 80 to display video for the indicated program. This allows the viewer to simultaneously view video from a new channel of interest (in window 80) with current channel 77. (Col. 8, lines 18-38).

As acknowledged by the Examiner on page 3 of the Office Action, Reynolds et al. do not disclose or suggest a program recommending unit configured to recommend a program that is available to be received based on obtained viewing information and accumulated program information as a recommended program. Accordingly, Reynolds et al. can not teach a program recommending unit for: 1) selecting a program from among programs available to be received as a recommended program, based on obtained viewing information and accumulated program information and 2) determining whether the recommended program is a currently viewed program, as required by claim 1.

Furthermore, as acknowledged by the Examiner during the telephone interview of December 10, 2009, Reynolds et al. do not disclose or suggest a picture displaying unit for automatically displaying a recommended program and a currently viewed program simultaneously, as required by claim 1. Because Reynolds et al. do not teach a program recommending unit, Reynolds et al. can not teach that the picture displaying unit automatically displays the recommended and currently viewed programs responsive to the program recommending unit, as required by claim 1 (emphasis added).

In addition, as acknowledged by the Examiner on page 4 of the Office Action, Reynolds et al. do not disclose or suggest that the picture displaying unit displays a remote control operation guide simultaneously with the recommended program and the currently viewed program, as required by claim 1. Thus, Reynolds et al. do not include all of the features of claim 1.

Thurston et al. disclose, in Fig. 1, system 100 including set-top boxes 140 and service provider 110 having user profile database 120. (Paragraphs [0027-0028]). The user profile contains user identification or characteristic information and viewing history information. Service provider 110 constructs a list of recommended programs and downloads the list to the user's set-top box, based upon the respective user profile associated with the set-top box. (Paragraphs [0016-0025]).

Thurston et al., however, do not disclose or suggest a program recommending unit for: 1) selecting a program from among programs available to be received as a recommended program and 2) determining whether the recommended program is a currently viewed program, as required by claim 1 (emphasis added). Thurston et al. also do not teach that a picture displaying unit automatically displays the recommended program and the currently viewed program simultaneously, responsive to the program recommending unit, as required by claim 1 (emphasis added). Thurston et al. are silent regarding these features. Thurston et al. do not select a program from among available programs and do not direct a picture displaying unit to display the recommended program itself. Instead, Thurston et al. provide a list of recommended programs. Thurston et al. teach that the list of recommended programs "automatically appear on the user's display at the beginning of each viewing session." (Paragraphs [0016-0026].) Thus, Thurston et al. do not include all of the features of claim 1 and do not make up for the deficiencies of Reynolds et al.

Yoshida discloses, in Figs. 1 and 2, an on-screen displaying apparatus for displaying remote control hand unit 10 and its keypad on a screen of CRT 9. (Abstract and Col. 4, lines 46-51.) Pressing a key on remote control hand unit 10 causes a corresponding key to be indicated on the display, along with a functional description of the key. (Col. 4, lines 52-64 and Figs. 7 and 8.)

Yoshida does not teach selecting either the recommended program or the currently viewed program by using a remote controller, as required by claim 1 (emphasis added). Instead, Yoshida teaches that an image of remote control hand unit 10 is used to highlight a user selected key and provide a functional description of the key. In addition, Yoshida does not disclose or suggest: 1) a program recommending unit for selecting a program from among programs available to be received as a recommended program and determining whether the recommended program is a currently viewed program and 2) a picture display unit for automatically displaying the recommended program and the currently viewed program simultaneously, responsive to the program recommending unit, as required by claim 1. Yoshida is silent regarding these features. Thus, Yoshida does not include all of the features of claim 1 and does not make up for the deficiencies of Reynolds et al. and Thurston et al. Accordingly, allowance of claim 1 is respectfully requested.

Claim 4, although not identical to claim 1, includes features similar to claim 1 which are neither disclosed nor suggested by the cited art. Accordingly, allowance of claim 4 is respectfully requested for at least the same reasons as claim 1.

Claims 9 and 11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds et al. in view of Thurston et al. and Yoshida, further in view of Yuen et al. (U.S. 2008/0184293). Claims 10 and 12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds et al. in view of Thurston et al., Yoshida and Yuen et al., further in view of Chang et al. (U.S. 2002/0129362). Claims 9-12, however, include all of the features of respective claims 1 and 4 from which they depend. The remaining cited art do not make up for the deficiencies of Reynolds et al., Thurston et al. and Yoshida with respect to claims 1 and 4. Accordingly, claims 9-12, which include all of the features of respective claims 1 and 4 from which they depend, are also patentable over the cited art.

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In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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